

REMARKS

Claims 1-15 are pending in the present application. Claims 1 and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 6,069,621 ("Schupak") in view of U.S. Patent No. 6,588,017 ("Calderone"). Claims 2-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schupak in view of Calderone and further in view of U.S. Patent No. 7,130,576 ("Gurantz"). Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Schupak in view of Gurantz. Claims 14 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schupak in view of Gurantz and further in view of Calderone.

The drawings were objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "350" was used to designate both a remote communications device and an upconverter. Accordingly, amended FIG. 3 is submitted herewith and labeled "Replacement Sheet." Additionally, the specification is amended herewith at page 6, line 30, which amends the reference number of upconverter "350" to upconverter "360".

Claims 5, 12, and 15 were canceled with this amendment.

Claim 1 was amended to more clearly define the present invention. More specifically, a switch was added to more clearly describe the routing of the various signals. As amended, the switch receives the downstream satellite signals, presentations or other signals that were stored in the primary DHCT, and control signals from the remote devices. Additionally, the switch forwards the received satellite signals to both the primary DHCT and the remote devices, the requested presentations to the remote devices, and the control signals to the primary DHCT.

The remote devices are each capable of tuning downstream satellite signals and transmitting control signals that are indicative of a request for a stored presentation. Each remote device is capable of requesting and receiving signals, and each is typically located in separate rooms. This is in contrast to Schupak's invention. More specifically, Schupak teaches utilizing a central computer connected to several televisions. The computer then controls a single terminal to process and route signal transmissions to each television. There are no other remote devices, such as in the present invention, that request signals or presentations.

Furthermore, claim 1, as amended, includes a modulator for modulating the requested presentation to a predetermined frequency. The modulated presentation is transmitted either from an input port or an output port of the primary DHCT. As further claimed in dependent claims 7 and 8, the predetermined frequency of the modulated presentation can be included or excluded from the frequency ranges of the downstream satellite signals.

In contrast, Schupak's processed signals are routed over a separate output port rather than the input port. It is submitted there is no requirement for the processed signals of Schupak to be modulated to

any other frequency since there would be no collisions with the input signals. Additionally, as taught in Schupak, the multiplexer/demultiplexer combinations (FIG. 3) and switches 41, 43, 43 (FIG. 4) further emphasize that there is no intent or purpose for modulating or upconverting the frequency of the processed signals since these devices replace any requirement for frequency modulation. It is respectfully submitted, therefore, that the RF modem in Calderone is not required in Schupak's single terminal for frequency modulating the processed signals.

Independent claim 13, as amended, is directed towards a satellite receiver network, which includes a primary DHCT and remote devices that all receive downstream satellite signals. As in claim 1, the primary DHCT transmits a modulated presentation upon request from one of the remote devices. The presentation is modulated at the predetermined frequency, which in this case, is excluded from the frequency of the downstream satellite signals. In this manner, the modulated presentation is then transmitted over a common port (i.e., the input port of the primary DHCT). As mentioned hereinabove, Schupak or Gurantz, either alone or in combination, does not teach or allude to transmitting signals over a common port along with the downstream satellite signals therefore not requiring modulation of the signals. Furthermore, it is submitted that it is not obvious to combine Calderone with Schupak since there is no requirement for modulating signals prior to transmission.

It is believed, therefore, that independent claims 1 and 13 are patentable over the cited art. Furthermore, dependent claims 2-4, 6-11, and 14 are now also in condition for allowance.

CONCLUSION

The foregoing is submitted as a full and complete response to the Office Action dated September 4, 2007. Claims 1-4, 6-11, and 12-14 will be pending in the present application upon entry of the present amendment, with claims 1 and 13 being independent. Based on the remarks set forth herein, Applicants respectfully submit that the subject patent application is in condition for allowance. Because the claims may include additional elements that are not taught or suggested by the cited art, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

Upon entry of the foregoing Response, the above-identified patent application includes 2 independent claims. Because Applicants have previously paid for 20 total claims and 3 independent claims, Applicants submit that no additional fee is due. Should it be determined that any additional fee is due or any excess fee has been received, the Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to deposit account #19-0761.

Should the Examiner have any comments or suggestions that would place the subject patent application in better condition for allowance, he is respectfully requested to telephone the undersigned agent at the below-listed number.

Respectfully submitted:

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